

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

400T0248

HOUSE BILL NO. 1049

Introduced by: The Committee on Judiciary at the request of the Department of the Military

1 FOR AN ACT ENTITLED, An Act to add certain definitions regarding the Department of the
2 Military.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 33-1-1 be amended to read as follows:

5 33-1-1. ~~As~~ Terms used in chapters 33-1 to 33-15, inclusive, ~~unless the context otherwise~~
6 ~~plainly requires~~ mean:

7 (1) "Armed forces," includes the United States Army and the United States Air Force;

8 (2) "Department of Defense," ~~means~~ the Department of Defense, the Department of the
9 Army, or the Department of the Air Force, as appropriate under the laws of the
10 United States; ~~and~~

11 (3) "Secretary of defense," ~~means~~ the secretary of defense, the secretary of the army, or
12 the secretary of the air force, as appropriate under the laws of the United States;

13 (4) "Servicemember," any member serving in an active duty status in the armed forces
14 of the United States, National Guard, or the Reserves;

15 (5) "Active duty," service pursuant to United States Code Title 10 or full-time National



1 Guard duty pursuant to United States Code Title 32 § 502(f)(2) as of January 1, 2012,
2 for the purpose of homeland defense operations or for state active duty pursuant to
3 § 33-9-1; and
4 (6) "Deployment," the temporary transfer of a servicemember serving in active duty
5 status to a location other than the servicemember's normal place of duty or residence
6 in support of combat or military operations. The term includes the mobilization of
7 a National Guard or Reserve servicemember to extended active duty status at any
8 continental United States installation in support of military operations. The term does
9 not include National Guard or Reserve annual training.